

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
MONDAY, APRIL 4TH, 1864, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair ;  
and the following members:

Councilmen Allen, Brown, Boaz, Cook, Emerson, S. A. Fletcher,  
Jr., H. A. Fletcher, Glazier, Haughey, Jameson, Lefever, Staub  
and Thompson—13.

Absent—Councilmen Blake, Colley, Coburn and McNabb—4.

The proceedings of the regular session, held March 21st, 1864,  
were read and approved.

By Mr. Emerson:

INDIANAPOLIS, March 25th, 1864.

*To the Mayor and Common Council of the City of Indianapolis:*

*Gentlemen*—Having left the City I tender to you my resignation  
as one of the Councilman from the Fourth Ward.

Respectfully, JOHN BLAKE.

On motion the resignation of John Blake, Esq., was accepted.

Mr. Brown, presented a communication from C. A. Elliott, and  
others, in relation to alledged inhuman treatment of a drunken  
man, by two policemen, while taking him to jail, after having  
arrested him.

Which, on motion, was referred to the Committee on Police,  
with power to send for persons and papers.

By Mr. Haughey—Petition :

INDIANAPOLIS, April 4th, 1864.

*To the Mayor and Common Council of the City of Indianapolis :*

The undersigned asks of the Common Council permission to construct a coal vault under the sidewalk, in front of his residence, No. 95 north Pennsylvania street, the needed excavation will not exceed eleven feet in width, and ten feet in depth, extending across the sidewalk to within two feet of the curb stone; the apertures therein to be covered and secured in the most approved manner.

T. H. SIARPE.

On motion of Mr. Haughey, the prayer of the petitioner was granted.

By Mr. Brown—Petitions :

INDIANAPOLIS, April 4th, 1864.

*To the Mayor and Common Council of the City of Indianapolis :*

We the undersigned, Pastor and Trustees of St. Mary's Church, do hereby beg leave to petition your honorable board to vacate the alley running west of our Church in square seventy-seven.

S. SIEGRIST, *Pastor.*

NICOLAS BLAES,

L. BAAR,

CASIMER VOIDOR,

CHARLES HEITKAM.

INDIANAPOLIS, April 4th, 1864.

*To the Mayor and Common Council of the City of Indianapolis :*

We the undersigned, Pastor and Trustees of St. Mary's Church, herewith offer to enlarge the alley east of our Church, by adding eight feet lying west of said alley, making the same eighteen feet wide.

S. SIEGRIST, *Pastor.*

NICOLAS BLAES,

L. BAAR,

CASIMER VOIDOR,

CHARLES HEITKAM.

INDIANAPOLIS, April 4th, 1864.

*To the Mayor and Common Council of the City of Indianapolis :*

The undersigned would beg leave to represent to your honorable body that they are the owners of lots 11, 12, 13, 14, 15, 16, 17, 18, 19, and 21 of the Washington Hall subdivision of the west half of block 98 of the City of Indianapolis, and that their gas works are located on said lots. They would further represent that there are three alleys running east and west through said subdivision, viz: one between lots 12 and 13, one between lots 16 and 17, and one between lots 20 and 21, each of which is twelve feet in width. These alleys are of no public benefit and their

vacation would add materially to increasing their facilities for carrying on the manufacture of gas. They, therefore, petition your honorable body to cause the same to be vacated, by an order of Council.

### INDIANAPOLIS GAS LIGHT AND COKE CO.

INDIANAPOLIS, April 4th, 1864.

*To the Mayor and Common Council of the City of Indianapolis :*

The undersigned owners of property bordering on an alley running east and west through McIlvaine and Latham's subdivision of out-lot 173, and lying immediately south of lots 8 and 9 and north of lots 7, 10, 19 and 20 of said subdivision of said out-lot would respectfully petition your honorable body to cause the same to be vacated.

J. M. L. BRADSHAW,  
ISABELLA LUPTON.

INDIANAPOLIS, April 4th, 1864.

*To the Mayor and Common Council of the City of Indianapolis :*

The undersigned, owners of the property bordering on that part of an alley in out-lot number 14 running east and west between lots number six, (6) and seven, (7) of Van Blaricum's subdivision of said out-lot 14 of the City of Indianapolis, would respectfully represent that said part of such alley is of no public utility and ask that an order of Council be passed vacating the same.

J. R. OSGOOD,  
OSGOOD & SMITH.

Which, on motion, was referred to the Committee on Streets and Alleys. *See page 552*

Mr. Brown, presented a bill from Scott & Nicholson for curb stone furnished at the corner of Meridian and Pearl streets amounting to \$9 75.

Which, on motion, was referred to the Committee on Streets and Alleys.

By Mr. Haughey, Chairman Finance Committee :

INDIANAPOLIS, April 4, 1864.

*To the Mayor and Common Council of the City of Indianapolis :*

*Gentlemen*—The Finance Committee respectfully recommend the following erroneous taxes to be refunded, and offer the following resolution :

*Resolved*, That the following erroneous taxes be refunded, and the City Clerk be directed to issue warrants on the city treasury for the amount :

To Joseph K. English, City Treasurer, for the following, to wit: Double assessment for 1863, against Lots Nos. 1 and 2, Miller's subdivision, in square 46, in the name of Frederick Baggs, also assessed and paid in the name of G.

W. Miller.....	\$54 40
Double assessment against Lot No. 10, in out-lot No. 27, in name of McKernan & Pierce, and also assessed and paid in name of Patrick Hanrohan.....	1 20
Balance of delinquent taxes against Lot No. 31, in out-lot No. 172, in name of Catharine M. Lewis, said Lewis having paid the \$20, as decreed by the Common Pleas Court.....	72 40
	<hr/>
	\$128 00

Respectfully submitted,

THEODORE P. HAUGHEY, }  
 H. A. FLETCHER, } *Committee.*

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Boaz, Cook, Emerson, S. A. Fletcher, Jr., H. A. Fletcher, Glazier, Haughey, Jameson, Lefever, Staub and Thompson—13.

Noes, none.

So the resolution passed.

By Mr. Haughey, Chairman Finance Committee :

INDIANAPOLIS, April 4th, 1864.

MR. PRESIDENT—The Finance Committee would respectfully recommend that the City Clerk be directed to cancel City Orders remaining in his hands uncalled for, as follows :

DATE OF ALLOW- ANCE.	DATE OF ISSUE.	NO.	AMOUNT.	TO WHOM ISSUED.	NATURE OF CLAIM.
Sept. 15, 1851.....	November 7, 1851.	288	\$0 50	A. B. Houston .....	Election Expenses
May 2, 1854.....	“ “ “ “	314	0 50	Thomas W. Sargeant...	“ “
“ “ “ “	“ “ “ “	322	0 50	Abner Clark.....	“ “
“ “ “ “	“ “ “ “	323	50	C. L. Anderson.....	“ “
“ “ “ “	“ “ “ “	329	50	Francis Berry.....	“ “
April 26, 1852.....	May 3, 2852.....	575	1 00	A. W. Sargent.....	“ “
December 6, 1852,	December 8, 1852.	764	1 00	Fredrick Bernard.....	“ “
“ “ “ “	“ “ “ “	776	1 00	Geo. H. Chapman.....	“ “
“ “ “ “	“ “ “ “	790	1 00	James G. Ray.....	“ “
December 17, 1852	December 17, 1852	8:1	1 00	John Clark.....	Labor
June 23, 1853.....	June 23, 1853.....	1149	2 00	Merry man.....	Election Expenses
March 22, 1854....	March 22, 1854.....	108	3 75	Jacob Sprow, Sr.....	Labor.
“ “ “ “	“ “ “ “	122	5 00	R. Ruffton.....	Teaming.
April 17, 1854.....	April 21, 1854.....	163	2 00	James Buchanan.....	Fire Department.
May 2, 1854.....	May 2, 1854.....	237	2 50	Derby.....	Labor
October 16, 1854....	October 31, 1854....	608	62	John Herman.....	“
February 28, 1855.	February 28, 1855.	209	2 50	H. A. Walker.....	Lumber.
January 23, 1855....	March 27, 1855....	347	1 75	Michael Nailer.....	Labor.
April 28, 1855.....	April 30, 1855.....	617	2 75	Michael Churchey.....	“
May 21, 1855.....	May 23, 1855.....	729	1 29	Caleb Bentley.....	Expenses.
“ “ “ “	June 6, 1855.....	828	3 00	George Wilson.....	Election Expenses
June 4, 1855.....	“ “ “ “	855	5 50	Michael Churchey.....	StreetImprovement
“ “ “ “	“ “ “ “	860	2 00	John Donnohue.....	“ “
July 7, 1856.....	July 29, 1856.....	1544	1 87	Thomas Splain.....	“ “
December 8, 1856,	April 11, 1857.....	3609	2 00	Hofris.....	Election.
October 22, 1859....	October 24, 1859....	3945	2 50	George Gass.....	StreetImprovement
November 12, 1859	November 14, 1859	4170	2 10	William Moffit.....	Fire Department.
October 4, 1860....	October 4, 1860....	6127	5 84	Charles Stotling.....	“ “
May 26, 1860.....	November 19, 1860	6552	7 85	R. Hamber.....	“ “
“ “ “ “	“ “ “ “	6602	3 45	D. Buchanan.....	“ “
April 13, 1861.....	April 15, 1861.....	7533	9 75	Herron Luce.....	StreetImprovement
“ “ “ “	“ “ “ “	7603	4 37	Jarred Almer.....	“ “
“ “ “ “	“ “ “ “	7618	4 37	Joseph Allison.....	“ “
“ “ “ “	“ “ “ “	7625	3 12	C. Bryan.....	“ “
May 25, 1861.....	May 28, 1861.....	7955	4 00	E. B. Carter.....	Elections.
August 12, 1861....	August 12, 1861....	8610	4 00	C. E. Whitsett.....	“
June 14, 1862.....	June 16, 1862.....	10487	1 00	Bingum & Doughty....	Printing.
February 4, 1863..	February 5, 1863..	12344	1 10	Henry Kolb.....	Taxes Refunded.
April 12, 1862.....	April 14, 1862.....	10122	4 37	H. Riley.....	StreetImprovement
February 10, 1862.	February 10, 1862.	9950	2 55	Charles Prange.....	Taxes Refunded.
December 14, 1861	December 26, 1861	9406	3 00	A. Smith.....	Fire Department.
November 9, 1861.	November 11, 1861	9261	3 00	A. Smith.....	“ “
May 23, 1860.....	November 19, 1861	6597	6 90	H. Hanscher.....	“ “
October 16, 1858....	October 18, 1858....	1786	2 00	Henry Miller.....	StreetImprovement
Sept. 14, 1861.....	Sept. 16, 1861.....	8877	4 03	H. Wallerbrand.....	Taxe-Refunded.
“ “ “ “	“ “ “ “	8755	1 00	E. Wallingford.....	Specific.
February 17, 1863.	February 18, 1863.	12481	1 25	Wm. Bradley.....	StreetImprovement
December 14, 1861	December 16, 1861	9404	2 50	Thomas Markham.....	Fire Department.
Sept. 14, 1861.....	Sept. 16, 1861.....	8845	4 48	Thomas Markham.....	“ “
By ordinance, 1861	May 1, 1863.....	12748	10 00	Henry Gensel.....	Salary.
Total.....			\$147 53		

Which, on motion, was concurred in, and the City Clerk so directed.

By Mr. S. A. Fletcher, Jr., Chairman Committee on Accounts :  
 AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis*, That the following named persons be allowed the amounts set opposite their respective names, from any moneys in the Treasury not otherwise appropriated, as follows :

T. M. Curtis, fire department.....	\$57 50
William McDougal, fire department.....	62 00
August Nagel, fire department.....	62 00

Amount carried forward..... \$181 50

Amount brought forward.....	\$181 50
Frederick Lang, fire department.....	62 00
Charles E. Curtis, fire department.....	75 00
E. H. Webster, fire department.....	62 00
William Dawson, fire department.....	62 00
John Foudray, Jr., fire department.....	62 00
Daniel Glazier, fire department.....	75 00
John Schiedler, fire department.....	56 00
Orrin Tuttle, fire department.....	62 00
William Miller, fire department.....	62 00
Samuel Blythe, fire department.....	6 00
George Kentzell, fire department.....	62 00
Charles W. Rhoads, fire department.....	62 00
Peter Dietz, fire department.....	59 00
Lafayette Doughty, fire department.....	3 00
George Smock, police.....	54 25
George Taffe, police.....	50 75
William W. Loucks, police.....	54 25
George Thomas, police.....	54 25
William Williams, police.....	54 25
Hannibal Taffe, police.....	54 25
William S. Johnson, police.....	54 25
James Stewart, police.....	56 00
Samuel Buser, police.....	21 00
William Covert, police.....	54 25
Henry Paul, police.....	54 25
Stephen Wilson, police.....	54 25
H. S. Adams, police.....	54 25
Andrew Unversaw, police.....	31 50
J. W. Bradley, police.....	54 25
Able E. Catterson, police.....	54 25
Jonathan Gray, police.....	54 25
D. L. Thompson, police.....	52 50
Frank Ford, police.....	54 25
David Hays, police.....	54 25
John R. Cotton, police.....	42 00
Thomas Wilson, police.....	45 50
William Oyler, police.....	54 25
Robert B. Barbee, police.....	54 25
William Bretney, police.....	54 25
William Brunnemer, police.....	54 25
Joseph P. Duvall, police.....	54 25
M. W. E. Doran, police.....	47 25
Jacob B. Power, police.....	52 50
Robert Redmond, police.....	54 25
John S. Bray, police.....	62 00
Indianapolis Gas Co., gas.....	2562 18
Amount carried forward.....	\$5113 93

Amount brought forward.....	\$5113 93
Indianapolis Gas Co., gas fixtures.....	868 87
George W. Burrows, street repairs.....	3 00
J. W. White, street repairs.....	6 42
J. George Stilz, street repairs.....	2 00
Clemmens Vonnegut, street repairs.....	23 80
McCord & Wheatley, street repairs.....	40 62
Harry Craft, town clock.....	4 16
Joseph Garrett, fire department.....	16 50
Merrill & Co., books and stationery.....	19 15
William Boaz, specific.....	17 50
W. & H. Glenn, rent.....	500 00
Ramsey & Hanning, specific.....	26 15
J. H. Ross, specific.....	22 00
J. H. Ross, pest-house.....	48 00
Thomas Wren, street repairs.....	22 00
Alexander Wood, street improvement.....	40 80
M. Shea, street improvement.....	40 80
John G. Waters, specific.....	75 00
Hugh Slaven, specific.....	72 00
William Boaz, Sr., specific.....	48 00
William Boaz, Jr., specific.....	66 00
William Wallace, specific.....	114 22
W. J. H. Robinson, jail expenses.....	372 20
M. Gallivan, street repairs.....	7 00
Henry Worthington, steam pump for the fire department.....	303 50
Cox, Lord & Peck, gas fixtures.....	124 08
Joseph K. English, school fund.....	732 90
 Total.....	 <u>\$8730 60</u>

RECAPITULATION.

Gas.....	\$2562 18
Police.....	1600 25
Fire Department.....	1271 50
Gas Fixtures.....	992 95
School Fund.....	732 90
Rent.....	500 00
Specific.....	440 87
Jail expenses.....	372 20
Street repairs.....	104 84
Street improvements.....	81 60
Pest House.....	48 00
Books and Stationery.....	19 15
Town Clock.....	4 16
 Total.....	 <u>\$8730 60</u>

SEC. 2. The City Clerk is hereby authorized and directed to issue warrants upon the City Treasury to the persons named, and for the amounts as set forth specifically in section first of this ordinance.

SEC. 3. This ordinance to take effect and be in force from and after its passage.

Ordained and established this 4th day of April, A. D. 1864.

JOHN CAVEN, *Mayor*.

Attest:

C. S. BUTTERFIELD, *City Clerk*.

Which was read the first time, and, on motion, was read a second time by its title.

Mr. S. A. Fletcher, Jr., then moved that the rules be suspended and the ordinance read a third time now.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Brown, Boaz, Cook, Emerson, S. A. Fletcher, Jr., H. A. Fletcher, Glazier, Haughey, Jameson, Lefever, Staub and Thompson—13.

Noes, none.

So the rules were suspended and the ordinance read a third time.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Brown, Boaz, Cook, Emerson, S. A. Fletcher, Jr., H. A. Fletcher, Glazier, Haughey, Jameson, Lefever, Staub and Thompson—13. Noes, none.

So the ordinance passed.

By Mr. H. A. Fletcher, Chairman Committee on Police:

INDIANAPOLIS, April 4th, 1864.

*To the Mayor and Common Council of the City of Indianapolis:*

We hereby tender our resignation as Policemen for the First and Eighth Wards, and hope you will accept the same.

GEORGE SMOCK,  
GEORGE TAFFE,  
A. E. CATTERSON.

On motion the resignations of Policemen Smock, Taffe and Catterson were accepted.

By Mr. Brown, Chairman Committee on Streets and Alleys:

INDIANAPOLIS, April 4th, 1864.

*Mr. President*—The Committee on Streets and Alleys, to whom was referred sundry bids for street improvements, report that they have examined the same, and find that for grading and graveling Illinois street, between South and McCarty streets,

and the Bluff Road, between Merrill and McCarty streets, the following bids were made.

- By Thomas Wren, for grading, per cubic yard, 33½ cents.  
 By Thomas Wren, for graveling, per cubic yard, (pit gravel) 39 cts.  
 By Cyrus W. Catterson, for grading, per cubic yard, 35 cents.  
 By Cyrus W. Catterson, for graveling, per cubic yard, 65 cents,  
 By Cornelius Collins, for grading, per cubic yard, 42 cents.  
 By Cornelius Collins, for graveling, per cubic yard, 84 cents.  
 By H. Timmermann, for grading, per cubic yard, 34 cents.  
 By H. Timmermann, for graveling, per cubic yard, 50 cents.

Thomas Wren is found to be the best bidder for the work named, and we, therefore, recommend that the contract be awarded to said Wren.

AUSTIN H. BROWN, } Committee.  
 W. COOK,

On motion the report was concurred in, and the contract awarded.

By Mr. Brown, Chairman Committee on Streets and Alleys :

INDIANAPOLIS, April 4th, 1864.

*Mr. President*—The Committee on Streets and Alleys, to whom was referred sundry bids for bouldering Massachusetts Avenue, between Pennsylvania and New Jersey streets, and for bouldering Virginia Avenue, between Washington street and Pogue's Run, find that for said work the following named persons bid as follows:

Joseph Kruger, 80 cents for bouldering and 22 cents for curbing.  
 John Stumph, 90 cents for bouldering and 25 cents for curbing.  
 James Stewart, 95 cents for bouldering and 27 cents for curbing.

The Committee finds that Joseph Kruger is the best bidder, but it is proper to say that Mr. Kruger has notified the Committee that he cannot fulfill the contract if awarded him, and wishes to withdraw the bid.

Your Committee, therefore, ask for further instructions on the subject.

AUSTIN H. BROWN, } Committee.  
 W. COOK.

On motion of Mr. S. A. Fletcher, Jr., the contract was awarded to John Stumph, the next best bidder.

By Mr. Brown—Sealed Proposals :

To grade and gravel Tennessee street, and sidewalks, between Market street and Indiana Avenue ; S. W. Patterson, grading, per cubic yard, 50 cents ; graveling, per cubic yard, \$1 25 ; security, George F. Meyer. Cornelius Shea, grading, per cubic yard, 35 cents ; graveling, per cubic yard, \$1 35 ; security, J. H. McKernan and Winslow S. Pierce. H. Timmermann, grading per cubic yard, 36 cents ; graveling, per cubic yard, \$1 38 cents ; security, William Cook.

To grade and gravel Meek street and sidewalks, between Noble street and the Corporation line east: H. Timmermann, grading, per cubic yard, 34 cents; graveling, per cubic yard, \$1 25; security, William Cook. Cornelius Shea, grading, per cubic yard, 35 cents; graveling, per cubic yard, \$1 35; security, J. H. McKernan and Winslow S. Pierce.

To furnish and erect lamp-posts, lamps, and fixtures on Illinois street, between the north side of North street, and the north side of St. Clair street: D. Root & Co, 50 dollars per post; security, C. B. Huston. Cox, Lord & Peck, \$47 75 per post, including fixing street to the satisfaction of the Street Commissioner; security, Jacob Cox.

On motion the bids to grade and gravel Tennessee street and sidewalks, between Market street and Indiana Avenue were laid upon the table; and the bids to grade and gravel Meek street, and sidewalks, between Noble street and the Corporation line east, were referred to the Committee on Streets and Alleys; and the bids to furnish and erect lamp-posts, lamps and fixtures on Illinois street, between the north side of North street, and the north of St. Clair street, were referred to the Committee on Gas.

From the Chief Fire Engineer—Report:

INDIANAPOLIS, April 4th, 1864.

To the Mayor and Common Council of the City of Indianapolis:

Gentlemen—I have appointed Frank Glazier, as Engineer, to run Steam Engine No. 1, said place being vacant. I ask that you concur in said appointment.

CHARLES RICHMANN, *Chief Fire Engineer.*

On motion of Mr. Allen the appointment of Frank Glazier, as Engineer, was unanimously confirmed.

From the Sexton—Report,

Report of the Sexton for the month ending March 7, 1864:

NUMBER OF INTERMENTS.

Under 1 year.....	11
1 to 5 years.....	20
5 to 10 years.....	11
20 to 30 years.....	41
30 to 40 years.....	3
40 to 50 years.....	2
50 to 60 years.....	1
60 to 70 years.....	5
70 to 80 years.....	2
	—
Total.....	96
From the country.....	4

G. W. ALLRED, *Sexton.*

Which, on motion, was accepted.

a motion of Mr. Brown, the ordinance entitled :

ORDINANCE to provide for the grading and bouldering of Delaware street, between Washington street, and Pogue's Run, exclusive of the sidewalks.

Was taken up and read a third time.

The question being, shall the ordinance pass? those who voted the affirmative were Councilmen Allen, Brown, Boaz, Cook, Person, S. A. Fletcher, Jr., H. A. Fletcher, Glazier, Haughey, Jameson, Lefever, Staub and Thompson—13. Noes, none.

So the ordinance passed.

On motion of Mr. Haughey the ordinance entitled :

ORDINANCE to provide for the grading and graveling of Delaware street, and sidewalks, between St. Clair street, and the Corporation line north.

Was taken up and read the third time.

The question being, shall the ordinance pass? those who voted the affirmative were Councilmen Allen, Brown, Boaz, Cook, Person, S. A. Fletcher, Jr., H. A. Fletcher, Glazier, Haughey, Lefever, Staub and Thompson—12.

Councilmen Jameson voting in the negative—1.

So the ordinance passed.

Mr. Brown, from the Committee on Streets and Alleys, introduced the following ordinance, as a substitute for the former ordinance creating a Board of Public Improvements for the City of Indianapolis.

ORDINANCE Establishing a Board of Public Improvements for the City of Indianapolis, Defining its Powers and Duties, and Regulating the Construction of Buildings within the City Limits.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis, That it shall be the duty of the Common Council, at the first annual meeting in each year, to elect, by a ballot vote, from among its own members, three Commissioners of the Board of Public Improvements of the City of Indianapolis, who shall serve for one year, or until their successors are elected and qualified.*

SEC. 2. Such Board of Public Improvements shall meet as often as once a week, at an office to be provided for them by the Common Council, and shall have power to select from their own number a President of the Board, who shall serve for one year.

SEC. 3. The City Clerk shall be the Clerk of such Board, but shall receive no additional compensation for such services other than the fees fixed and authorized by this ordinance.

SEC. 4. Said Clerk shall attend all meetings of the Board of Public Improvements, and record their proceedings; keep proper account and other books pertaining to his office; carefully preserve all papers, profiles, or plats filed in his office; and make such reports to the Common Council, in writing, as the Board of Public Improvements may direct; and issue under his certificate and seal all permits or licenses which he may, by the ordinance of Common Council and the orders of the Board of Public Improvements, be required to do, and keep a register thereof.

SEC. 5. The said Board shall have the immediate charge of the execution of the orders of the Common Council, relative to the construction and repairs of Public Buildings, Market Houses, Bridges, Culverts, Cisterns, Sewers, and Drains; the Improvement of Streets, Alleys, Sidewalks, Parks, Market Spaces, and Public Grounds; the Lighting of the Streets, and the construction and management of Water Works; *Provided*, said Board shall not, in any case, incur any expenditure for any of the objects herein named, without first having submitted their plans with an estimate of the cost of any proposed work, to the Common Council, and received its approval.

SEC. 6. The said Board shall require its Clerk to keep correct accounts of all expenditures incurred by them, or by any officer of the City, acting under their instructions by order of the Common Council, in the execution of any public work which they may be authorized to superintend or control, and they shall, through their Clerk, make monthly reports to the Common Council, of all such expenditures.

SEC. 7. It shall be the duty of all officers of the City, who may be ordered by the Common Council to do or have done any public work of the character named in the fourth section of this ordinance, to report to said Board for instructions; which instructions said officers shall strictly conform to, unless the same shall be inconsistent with their duties as defined by the City Charter and the ordinances of the Common Council. They shall, also, make reports of their expenditures and operations, and file the same with the Clerk of the Board of Public Improvements.

SEC. 8. The Civil Engineer of the City shall project and submit before the Board of Public Improvements plans for the construction or repairs of Public Buildings, Market Houses, and Bridges, and of all improvements of Streets, Alleys, Sidewalks, Culverts, Parks, Market Spaces, Sewers, and Drains, and of all other Public Works of said City, which may be in contemplation, which he may deem necessary for the public good and convenience, together with the estimated cost of the same. All applications for public improvements shall first be made to the Common Council, and then shall be referred to said Civil Engineer and the Board of Public Improvements, who shall report thereon to the Common Council, adding to such report the plans and estimates of such work which may be approved, and such other improvements as they may

be fit to recommend. The said Board shall receive and prepare, for the approval of said Council, all proposals for constructing or performing any public work. They shall examine and consider all plans proposed for any Market House, Bridge, Public Building, Sewer, or other public work, and report to said Council on all of said plans as may be approved, together with the estimate of the whole cost thereof, and their opinions and recommendations concerning the same.

SEC. 9. Each Commissioner of said Board of Public Improvements shall receive in addition to their pay as Councilmen two dollars for every day they shall actually attend the meetings of said Board, to be paid quarterly, as other officers of the City are paid, and the City Clerk shall issue his order upon the Treasurer, on a proper certificate of the President of the Board of Public Improvements that such services have been rendered.

SEC. 10. From and after the 15th of May, 1864, it shall not be lawful for any person or persons to erect, construct or build, or cause to be erected, constructed or built, any brick, iron, stone or wooden house or building, out-house or shed or any house or building out-house or shed composed partly of brick, iron, stone, wood, or to alter such building so as to make it substantially a new building, without first obtaining a written permit from said Board of Public Improvements, attested by the certificate of the Clerk of said Board. The party receiving such permit shall pay to the Clerk a fee of 25 cents, for each certificate issued in pursuance of any order of said Board.

SEC. 11. When any person or persons shall be desirous of erecting, constructing, or altering any house or building, he or they shall make application at the office of the Board of Public Improvements for a permit for that purpose, and he or they shall be required to furnish a written statement of the proposed location, the dimensions and manner of construction of the proposed building or edifice, together with the different stories and the materials, and the materials to be used in such house or building, and the probable cost of the same.

SEC. 12. It shall not be lawful for any person or persons to remove, or attempt the removal of any frame or wooden house or building from any point within the city limits to any other point either within or outside of the city limits, without first having obtained a permit from said Board of Public Improvements. Such permits shall specify the time within which, and the points from and to which such removal shall be made. The Board of Public Improvements shall, in no case, issue a permit allowing the removal of any framed or wooden house or building across any bridge over the Canal or Pogue's Creek. The Clerk of the Board of Public Improvements shall issue all such permits when ordered by the Board, attesting the same by a proper certificate, and shall be entitled to charge a fee of 25 cents for each certificate so issued.

SEC. 13. All permits issued by the Board of Public Improvements, or its Clerk, for the erection, construction, or alteration of any house or building, shall particularly specify the amount of space in the street, upon the line of which such proposed house or building fronts, to be occupied by the builder with building materials; provided that no permit shall be issued allowing the use of any greater space on any ninety feet street than thirty feet of the width of such street immediately fronting the property proposed to be improved, commencing at a point not less than five feet from the outer edge of the sidewalk, or of any greater space on Washington street than thirty feet of the width of such street immediately fronting the property proposed to be improved, commencing at a point not less than five feet from the outer edge of the sidewalk, or of any greater space on all other streets than fifteen feet of the width of the street immediately fronting the property proposed to be improved, commencing at a point not less than four feet from the outer edge of the sidewalk. No permit shall be issued allowing the placing of building materials in any alley for a greater length of time than forty-eight hours, and shall any one be permitted to dig a well, or place a pump in a well, on any sidewalk, street or alley.

SEC. 14. Any person who shall erect or construct any house or building, or alter any house or building so as to make the same substantially a new building, or who shall remove any frame wooden building from one point in said city, to any other point therein, without first obtaining a permit, as required by sections 9, 10, 11 and 12, or any person who shall fail to comply with the specifications or requirements of such permits as to the space to be occupied with materials or other requirements, or who shall dig a well, or place a pump in such well on any sidewalk, street or alley shall, upon conviction thereof, before the Mayor, be fined in any sum not less than five dollars, nor more than fifty dollars.

SEC. 15. It shall be the duty of the Clerk of the Board of Public Improvements to keep a Register of all applications for permits to construct, repair or remove buildings, showing the size, description and estimated cost of the same, the date of application for and the date of granting each permit, and the Board of Public Improvements shall cause to be prepared therefrom and reported to the Common Council at its second meeting in May of each year, a statement showing the number and value of all the buildings authorized to be constructed, together with such other statistical information as it may see fit to present.

SEC. 16. The Chief Fire Engineer shall have full power to inspect all buildings in course of erection or when completed and report to the Board of Public Improvements any that he may deem unsafe, from any cause, and the Board of Public Improvements shall notify the owners thereof, and require them to construct the same, in such manner as to make them safe from fires.

correcting defective flues, or from falling down by strengthening the walls, or otherwise.

SEC. 17. This ordinance to be in force, from and after its passage and publication for two successive weeks, in the Indianapolis Daily Journal.

Which was read the first time, and ordered to be printed in the minutes.

By Mr. Emerson :

*Resolved*, That there shall be an election held in the Fourth Ward of the City of Indianapolis, on Saturday the 16th day of April, 1864, at the School House in said ward, for the election of one Councilman to fill the vacancy in the Common Council of the City of Indianapolis, caused by the resignation of John Blake, Esq., and that Eli Thompson be appointed Inspector, and that Aaron Rosier and Thomas Chandler be appointed Judges of said election; and that the City Marshal be, and he is hereby directed to give notice of such election, as required by the City Charter.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Boaz, Cook, Emerson, S. A. Fletcher, Jr., H. A. Fletcher, Glazier, Haughey, Jameson, Lefever, Staub and Thompson—13. Noes, none.

So the resolution passed.

By Mr. Brown :

*Resolved*, That the first and final estimate allowed D. Root & Co., for furnishing and erecting lamp posts, lamps and fixtures, on Market street, between New Jersey and Liberty streets; also, on Tennessee street, between Georgia and South streets, be and the same are hereby adopted as the estimates of this Council, and the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Boaz, Cook, Emerson, S. A. Fletcher, Jr., H. A. Fletcher, Glazier, Haughey, Jameson, Lefever, Staub and Jameson—13.

Noes, none.

So the resolution passed.

By Mr. Brown—Motion :

That the Street Commissioner be instructed to cause the grade of the gutter on the west side of Meridian street, between Washington and Maryland streets, to be changed, so as to make the summit at such point as the Engineer may direct, and running north therefrom to Washington street, so as to allow the water to flow in that direction, and running south to Maryland street, so as to allow the water to flow in that direction, from such summit ;

and that the Street Commissioner be directed to take up the boulders in said gutter, and relay them to correspond with the grade aforesaid, and to thoroughly repair the same.

Which motion was adopted.

By Mr. Brown—Motion :

That the Civil Engineer be directed to report to this Council at its next meeting, a list of all uncompleted contracts for street improvements, with the date of each; also, the reasons, if any, why such contracts are not completed.

Which motion was adopted.

By Mr. Brown—Motion :

That the City Clerk be directed to issue an order in favor of the Street Commissioner for five hundred dollars, to be expended by the latter in repairing and cleaning streets and alleys and for repairs of bridges and culverts.

Which motion was adopted.

By Mr. Staub—Motion :

That the Street Commissioner be instructed to fill up a portion of Liberty street, between New York and Vermont.

Which motion was adopted.

By Mr. Haughey—Motion :

That the Chief Fire Engineer be directed to go to Fort Wayne, and collect the amount paid the agent for this City, for the Engine Conqueror, and to make such arrangements for the deferred payments, as he may deem proper.

Which motion was adopted.

By Mr. Haughey—Motion :

That the City Clerk be directed to make out the bill for half the cost in building the pest-house for small pox cases, and present the same to the Board of County Commissioners, for payment.

Which motion was adopted.

On motion the Council adjourned.

JOHN CAVEN, *Mayor*.

Attest:

C. S. BUTTERFIELD, *City Clerk*.